

REMARKS

Applicant requests reconsideration and further examination of this application, and has filed a Request for Continued Examination herewith.

Regarding Independent Claim 1:

Applicant has amended independent Claim 1 to clarify its language, particularly, the names “ flat collapsed configuration” for storage and “ set-up configuration” for holding an object in an inclined position; that said right and left side edges are outer edges of the panel; that the right and left support members are pivotal on a first pivot axis and a second pivot axis, respectively, to fold flat against said panel when the stand is in the flat collapsed configuration, and to pivot away from each other, when the stand is in the set-up configuration; and that said first pivot axis is at an angle of 5 – 25 degrees relative to said right side outer edge of said panel, and said second axis is at an angle of 5 – 25 degrees relative to said left side outer edge of said panel.

These amendments to Claim 1 clarify the claimed features of Applicant’s invention. The term “ pivot axis” makes it very clear that the axis of rotation/pivoting of each support member is being claimed as being at an angle to the support member’s respective side outer edge. See McGraw Hill Dictionary of Scientific and Technical Terms excerpt (Appendix A) and The New Oxford American Dictionary excerpt (Appendix B). It is clear from the whole of the specification that Applicant has disclosed that the hinge is positioned on the panel rear surface so that the longitudinal axis of the hinge, that is, the pivotal axis of each support member, is at an angle to its respective side outer edge of the panel. Support for the term “ pivot axis” is at page 6, lines 32 – 34, and in the specification and drawings as a whole.

When claiming that the pivot axis is at an angle to the side outer edge, Applicant is not claiming the support member as pivoting to a particular angle relative to the panel, but that the pivot axis itself lies at an angle to its respective outer edge of the

panel no matter how much the support member has pivoted. See the Summary of the Invention, page 3, lines 23 – 27, wherein the angle of the support members to the panel (the amount of pivoting, Angle E) is clearly differentiated from the angle of the hinge pivot axis. See also Figure 7 of Applicant's application, wherein Angle D is clearly not illustrating an amount of pivot of the support members, because the support members are folded flat in Figure 7, but Angle D is instead illustrating the position of the pivot axis on the back surface 2 of the panel. (See where hinges 9 lie on the rear of the panel in Figure 7. See also wherein the hinges 9 lie in Figure 5 of the parent provisional application, and see the fifth paragraph of the Detailed Description of the Invention of the provisional application, incorporated into this non-provisional application).

In Figure 12 of this non-provisional application, the same called-out Angle D is extending from the edge of the panel to the pivot axis (not to the surface of the support member), which is clear from the text of the Description at page 7, starting at line 29: “ The pair of support members 4 are adjoined to the rear surface of the rectangular panel 1 via hinges 9 preferably angled about 5-25 degrees from the edge of the panel (angle D in Figure 7 and 12). Preferably, the top ends of the support members 4 are closer to the respective panel 1 edges than the bottom ends of the support members 4.” Angle D in Figure 12 is calling out the same angle as it is in Figure 7, that is, the angle at which the support member hinges are adjoined to the back surface 2, not the amount of pivoting of the hinge. Angle D is preferably 5-25 degrees, while the amount of pivoting of the support members is called out as Angle E, shown in Figure 11, which is preferably 100 – 130 degrees (see page 7, lines 28 – 29).

Only by optical illusion would one interpret Angle D in Figure 12 to be the amount of support member pivoting; actuality, the arrow for Angle D in Figure 12 extends between the pivot axis (the longitudinal axis of the hinge, hidden in Figure 12) to the outer edge of the panel back surface 2. Further, using the optical illusion to interpret Angle D in Figure 12 to be the amount of pivoting of the support member would not make sense in view of the preferred Angle D being 5 – 25 degrees – such a small amount of pivoting of the support members to set-up the stand would clearly be

inconsistent with Figures 1, 2, 8, 9, 11, and 12, wherein the support members are clearly more perpendicular to the panel 2 than parallel to the panel 2, and, hence, clearly greater than 25 degrees from the panel 2. See Summary of the Invention, page 3, lines 21 - 23, wherein the support members are described as pivoting away from the midline into their set-up positions that are generally perpendicular to the rectangular surface of the panel.

Applicant has added literal support for the term "pivot axis" to page 7, but has not added any new matter, as page 6, lines 32 – 34, and the Description and Drawings as a whole clearly contain at least substantive support for these amendments.

To see that the prior art does not disclose an angled pivot axis, see Appendix C, D, and E. Compare the pivot axis location in Applicant's Figure 7 to the pivot axis location on *Denaro* (call-out 15, parallel to the outer edge); and *Choi* (call-out 22, parallel to the outer edge). Regarding *Kolb*, call-out 66 is perpendicular to the outer side edge, and the single support member may have two feet, but the two feet do not pivot away from each other, as claimed for Applicant's support members. None of the prior art references disclose this feature of the pivot axis being at 5 – 25 degrees to the side outer edges of the panel supporting the book at an inclined position.

Further, Applicant notes that neither *Kolb* nor *Choi* disclose support members that extend both rearward from the panel and diverge from each other to support the panel in an inclined position, and that also have front portions that extend underneath the shelf to hold the shelf in the set-up position. In *Kolb*, the support member (30, 64) has no role in supporting the shelf 32, and, in *Choi*, the support members 21 have no role in supporting the shelf 12.

Regarding Dependent Claims 5 and 6:

Applicant has amended dependent Claim 5 to clarify that said shelf comprises a right groove and a left groove, and wherein said front portion of the right support member comprises a first tab frictionally received in said right groove to secure the right support member to the shelf, when the shelf is in the set-up position and the stand is in

the set-up configuration, and wherein said front portion of the right support member further has a second tab frictionally received in said right groove to secure the shelf to the right support member and retain the shelf parallel to the right support member, when the shelf is in the collapsed position and the stand is in the flat collapsed configuration.

Thus, Claim 5 claims that a groove on the shelf receives a first tab on the front portion of the right support member when the stand is set-up, and receives a different (second) tab when the stand is collapsed to secure the shelf to the support member. Nowhere in the prior art is this disclosed, as discussed below:

A) When *Denaro* is collapsed (Figure 5), no tabs on the support members are frictionally received in the shelf and, for that matter, no tabs on the shelf are frictionally received in the support members. There are no tabs or grooves of any kind securing the shelf in the collapsed position, and no tabs or grooves retaining the shelf parallel to a support member in the collapsed position. As one will be able to see from *Denaro* Figure 5, there are no tabs or grooves on the shelf and support members that *can* cooperate with the support members, when the stand is in the flat collapsed configuration, because all the tabs of *Denaro* extend out from the perimeter edge of the flattened stand and cannot reach or be inserted into any groove, aperture or hole or be inserted without setting up the stand.

B) When *Kolb* is collapsed (Figure 1), no tabs on the support member are frictionally received in the shelf and no tabs on the shelf are frictionally received in the support member. There are no tabs or grooves of any kind securing the shelf in the collapsed position, and no tabs or grooves retaining the shelf parallel to the support members in the collapsed configuration. Further, whether *Kolb* is collapsed or set-up, there are also no tabs or grooves of any kind connecting the shelf to the support member.

C) When *Choi* is collapsed (Figure 5), no tabs on the support members are frictionally received in the shelf and, for that matter, no tables on the shelf

are frictionally received in the support member. There are no tabs or grooves of any kind securing the shelf in the collapsed position, and no tabs or grooves retaining the shelf parallel to the support members in the collapsed configuration. Note that, when the *Choi* stand is set-up, tabs 16 are received in the support members, but that, when the *Choi* stand is collapsed, tabs 16 are not frictionally received in, and not retaining or connecting to the support members. Note that the drafter of *Choi* does label tabs 16 in Figures 1, 2 and 4, but not in Figure 5. The undersigned has pointed them out in Figure 5 for the convenience of the Examiner.

Applicant adds in Claim 6, dependent upon Claim 5, that the other support member (left support member) also has a first tab and a second tab, the first tab frictionally received in a left groove when the stand is set-up and frictionally received in the same, left groove to secure the shelf to the left support member and retain the shelf parallel to the left support member when the shelf is in the collapsed position and when the stand is collapsed. As argued above, none of the prior art discloses such a system for securing the shelf to the support members when the stand is collapsed to a flat configuration.

Regarding Independent Claim 11:

Applicant has amended independent Claim 11, to clarify its language, specifically, that said shelf comprises a right notch and a left notch, said right notch frictionally receiving an edge protrusion of the right support member in the set-up position and frictionally receiving a different, surface protrusion of the right support member in the flat collapsed position, so that the right support member and shelf are secured to each other when the stand is in both said flat collapsed configuration and said set-up configuration.

None of the prior art secures the shelf to the support members in the flat collapsed configuration. *Denaro* discloses no connection and no securement of the shelf to the support members in the flat collapsed configuration (Figure 5). Also, *Kolb*

disclosed no connection and no securement of the shelf to the support members in the flat collapsed configuration (Figures 1, 3 and 4). *Choi* disclosed no connection and no securement of the shelf to the support members in the flat collapsed configuration (see Figure 5, wherein shelf 17 and tabs 16 may be adjacent to part of the support members 21, but not connected to or secured to the support members, and certainly not by notches and protrusions).

Regarding Dependent Claims 12 and 14:

Applicant has amended dependent Claim 12 to add to the limitations of Claim 11 that said right support member pivots on a right pivot axis that is at an angle relative to said right side outer edge, and said left support member pivots on a left pivot axis that is an angle to said left side outer edge. None of the prior art discloses the limitations of Claim 11 combined with a pivot axis (a longitudinal line on which a member rotates/pivots) that is at angle to the outer side edges of the panel of the stand.

Applicant has amended dependent Claim 14 to add to the limitations of Claim 12 that said right pivot axis is at an angle of 5 - 25 degrees from said right side outer edge and said left pivot axis is at an angle of 5-25 degrees from said left side outer edge. Note of the prior art discloses such limitations regarding the position on which the pivot axis lies on the rear of the panel supporting the book or other object.

New Dependent Claims 21 and 22:

Applicant has added new Claim 21, dependent upon Claim 1, and new Claim 22, dependent upon Claim 11. Both of these claims add the limitation that the stand has an outer perimeter that is rectangular when the stand is in the flat collapsed configuration. This limitation further differentiates the claimed invention of Claims 21 and 22 from *Denaro*, which has a very irregular outer perimeter with many protrusions and non-rectangular forms (see *Denaro*, Figure 5).

New Independent Claim 23 and Dependent Claims 24 and 25:

Applicant has added new independent Claim 23, which claims that, when the stand is in the flat collapsed configuration, a portion of each of the right and left support members contacts and is parallel to the shelf in the collapsed position; and wherein said shelf has a right hole and a left hole, said right support member has a hole and said left support member has a hole, and wherein, when the stand is in the flat collapsed configuration, the right hole of the shelf is aligned with the hole of the right support member and the left hole of the shelf is aligned with the hole of the left support member.

These features are not shown in the prior art, and are not obvious from the prior art. Specifically:

- A) The *Denaro* stand, when in a flat collapsed configuration, does not have any holes through the shelf that align with holes in the support members. Further, even if one folds the stand shown in *Denaro* Figure 5 in any reasonable way (along fold lines in Figure 5) none of the slits or slots of the shelf align with any slits or slots of the support members.
- B) The *Kolb* stand, when in a flat collapsed configuration, does not have any holes through the shelf that align with holes in the support members, in fact, there are no holes.
- C) The *Choi* stand, when in a flat collapsed configuration, does not have any holes through the shelf that align with holes in the support members.

Therefore, no single cited reference and no combination of the cited prior art arrives at the claimed invention. Claims 23 – 25 are novel and unobvious.

The amendments made herein add no new matter. Support resides, for example, on page 1, lines 11 – 16; at page 3, lines 12 – 34; page 4, first paragraph; page 6, lines 21 – 34 and lines 28 through page 7, line 7; page 7, lines 26 through page 8, line 6; page 8, lines 14 and 15; and in the original figures and claims.

Therefore, Applicant believes that the amended claims are novel and unobvious in view of the prior art. Each claim has limitations that are not disclosed in any single one of the prior art cited references. Also, each claim has limitations that are not obvious in view of the prior art, individually or in combination. Further, Applicant argues that there is no suggestion in the references or in the evidence of record to try to combine the prior art references. One would have to severely change the structure of each of the prior art stands in order to make the modifications necessary to arrive at Applicant's claims, and there is no suggestion or motivation in the prior art to do this.

Applicant now believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,



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